

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

JOSHUA EDWIN GATES,

Plaintiff,

Case No. 2:24-cv-131

v.

CHRIS R. BECKER,

Defendant.

HON. JANE M. BECKERING

**ORDER**

This is a civil action filed by a *pro se* state prisoner. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 8) on August 15, 2024, recommending that the complaint be dismissed as frivolous. The Report and Recommendation was duly served on Plaintiff.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 8) is APPROVED and ADOPTED as the Opinion of the Court. The Complaint is DISMISSED as frivolous.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith because Plaintiff failed to file any objections to the Report and Recommendation. *See McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

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<sup>1</sup> Plaintiff is the only party that has appeared in the case at this time.

A Judgment will be entered consistent with this Order.

Dated: September 16, 2024

/s/ Jane M. Beckering  
JANE M. BECKERING  
United States District Judge